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CHRISTIE, PARKER & HALE, LLP			HEWITT II, CALVIN L	
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Please find below and/or attached an Office communication concerning this application or proceeding.



***Status of Claims***

1. Claims 1-46 have been examined.

***Response to Arguments***

2. Claim 5 recites determining a validity status as redeemed if the indicium data and a redemption status are found in the validation information database. Claim 15 recites similar language. However, this is a conditional statement. Therefore, in order to read on this feature the prior art need only teach a database where at least redemption information is not found (MPEP 2106, II, C).

Applicant's arguments with respect to claims 1-46 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 19, 33, 39, and 43 have been amended to recite "storing the value bearing indicium data in the validation information database, before the value bearing indicium is validated". Claim 13 recites "storing the ticket in the validation information database, before the value bearing indicium is validated". Each claim further recites transmitting and determining a validity status of the value bearing indicium or the ticket. However, to one of ordinary skill a validation process for the indicium or ticket cannot occur as either the indicium or ticket remains stored in the database and hence is not transmitted, or the indicium or ticket is transmitted leaving the database void of the indicium or ticket.

Claims 2-12, 14-18, 20-32, 40-42, or 44-46 are also rejected as each depends from either claim 1, 13, 19, 33, 39 or 43.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 4-6, 12, 19-21, 24, 30-32, and 43-46 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Kay, U.S. Patent No. 6,223,166.

As per claims 1, 4-6, 12, 19-21, 24, 30-32, and 43-46, Kay teaches a method for providing a value bearing indicium to a computer comprising:

- a server receiving validation information from an end-user's machine via a computer network (column 5, lines 17-42)
- a server generating a value bearing indicium (e.g. ticket) using the validation information (column/line 3/65-4/5)
- storing the value bearing indicium data in a validation information database before the indicium data is validated (figure 3; column/line 3/65-4/5; column 4, lines 52-58)
- a server transmitting the indicium data to the end-user's machine (figures 1 and 4; column 4, lines 28-41)
- receiving the indicium data from a scanning machine (column/line 4/63-5/5)
- determining validity (valid or invalid) (column 4, lines 42-62) for the indicium data using the validation database (column 4, lines 50-55)
- receiving a request from a user over a computer network and generating validation information from the request (column 5, lines 17-42)

- transmitting the validity status (an indication of entry) to a distributor (abstract; column/line 4/62-5/5)
- wherein the indicium is not redeemed if there is not a redemption status found in the database (abstract)
- hashing, using a secure hash algorithm, a first subset of validation information, signing the hash using a digital signature algorithm, and generating a barcode from a second subset of validation information (i.e. the digital signature) (column 4, lines 12-42)

Kay teaches admitting a ticket holder to an event if a barcode is decoded by a portable scanner (figure 3; column 4, lines 48-58). Therefore, it is inherent to the teachings of Kay that the validity status (an indication of entry) is transmitted to the scanning machine otherwise, the ticket collector would not know whom to admit and whom to deny entry.

As per claim 46, Kay also teaches wherein the above first and second subsets are the same as the underlying ticket data is common to both the ticket and the digital signature.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7-11 and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kay, U.S. Patent No. 6,223,166 in view of Patton et al., U.S. Patent No. 6,972,859.

As per claims 7-11 and 25-29, Kay teaches a method and system for distributing data over a computer network wherein the data is purchased by a user over said network, printed by the user and later validated (figure 1). Kay does not explicitly recite distributing postage, currency, vouchers or traveler's checks. Patton et al. teach a method and system for purchasing and distributing data such as postage, traveler's checks, gift certificates and the like (abstract; column 5, lines 28-32). Therefore, it would have been obvious to one of ordinary skill to combine the teachings of Kay and Patton et al. in order to allow a user to more conveniently obtain traveler's checks, for example, and provide a secure method for determining if the check is valid ('166, column 5, lines 1-5).

9. Claims 2, 3, 22-23, 33-38, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kay, U.S. Patent No. 6,223,166 in view of Payne et al., U.S. Patent No. 5,715,314.

As per claims 2, 3, 22-23, 33-38, and 42, Kay teaches a buyer purchasing a value bearing item online (figure 4; column/line 4/65-5/5). Kay also teaches

wherein the indicium is not redeemed if there is not a redemption status found in the database (abstract), hashing, using a secure hash algorithm, a first subset of validation information, signing the hash using a digital signature algorithm, and generating a barcode from a second subset of validation information (i.e. the digital signature) (column 4, lines 12-42), and determining validity (valid or invalid) (column 4, lines 42-62) for the indicium data using the validation database (column 4, lines 50-55). However, Kay does not explicitly recite a distributor server where the server generates validation information from a request. Payne et al. teach a distributor server. Specifically, Payne et al. teach a server with processor and memory (figure 1; column 5, lines 5-15) wherein said server receives a value bearing indicium request from an end-user's machine. Generates validation information from the request and transmits the validation information to the end-user's machine via a computer network (column 5, lines 25-46; column 7, lines 14-30). Regarding claim 23, claim 22 merely recites an indicium server memory and processor *operable to execute* indicium server program instructions, hence the server does not have to execute the instructions merely possess the ability to. Claim 23 is directed to transmitting the validity status to the distributor server. However, since the indicium server does not actually execute the instructions, the validity status is never transmitted to the distributor server (MPEP 2106, II, C). Therefore, it would have been obvious to



one of ordinary skill to combine the teachings of Kay with Payne et al. in order to provide the buyer with a secure purchase method for obtaining digital tickets.

10. Claims 39-42 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Kay, U.S. Patent No. 6,223,166.

Kay teaches a method for providing a value bearing indicium to a user comprising:

- a server receiving validation information from an end-user's machine via a computer network (column 5, lines 17-42)
- a server generating a value bearing indicium (e.g. ticket) using the validation information (column/line 3/65-4/5)
- storing the value bearing indicium data in a validation information database before the indicium data is validated (figure 3; column/line 3/65-4/5; column 4, lines 52-58)
- a server transmitting the indicium data to the end-user's machine (figures 1 and 4; column 4, lines 28-41)
- receiving the indicium data from a scanning machine (column/line 4/63-5/5)
- determining validity (valid or invalid) (column 4, lines 42-62) for the indicium data using the validation database (column 4, lines 50-55)

- receiving a request from a user over a computer network and generating validation information from the request (column 5, lines 17-42)
- transmitting the validity status (an indication of entry) to a distributor (abstract; column/line 4/62-5/5)
- transmitting the validity status (an indication of entry) to a distributor (abstract; column/line 4/62-5/5)
- wherein the indicium is not redeemed if there is not a redemption status found in the database (abstract)

However, Kay does not specifically recite “links”. The Examiner takes Official Notice that “clicking” on a link to access web data is old and well known.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Laval et al. teach managing entrance to an event
- Husemann et al. teach a smart card for storing electronic tickets
- Bezos et al. disclose hyperlinking

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (571) 272-6709. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, James P. Trammell, can be reached at (571) 272-6712.

Any response to this action should be mailed to:

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Washington, D.C. 20231


or faxed to:

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or:

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free).



Calvin Loyd Hewitt II  
Primary Examiner

June 14, 2006